SOUTHERN SHORES POLICE DEPARTMENT POLICY OR PROCEDURE

DOCUMENT #3.66	SUBJECT: AUTOMATIC LICENSE PLATE READER POLICY & PROCEDURES	DATE: November 5, 2019 Revised-January 20, 2026
ALL POLICY OR PROCEDURES PREVIOUSLY ISSUED REGARDING THIS SUBJECT ARE HEREBY CANCELED.		

I. PURPOSE

To establish guidelines for Southern Shores Police Department employees for the deployment, maintenance, training, data storage and associated uses of automatic license plate readers both fixed and mobile units (ALPR, LPR) used by the Southern Shores Police Department. It is the purpose of these procedures to serve as a guide for the use of ALPRs which collect and store large amounts of data (license plates, dates, times, and locations of vehicles) for investigative purposes.

II. DEFINTIONS

NC GS 20-183.30 (1)

Automatic License Plate Reader System – A system of one or more mobile or fixed automated high-speed cameras used in combination with computer algorithms to convert images of license plates into computer-readable data. This term shall not include a traffic control photographic system.

1. *ALPR Manager:* Command staff level sworn personnel designated by the Chief of Police or designee who is responsible for the management of the ALPR program including its administration, troubleshooting, training, repairing and coordinating all aspects of the ALPR system.
2. *ALPR Generated Data:* all information including GPS coordinates, date and time of a license plate reading, the optical character recognition interpreted data, and any ALPR generated digital image(s) of the license plate and coordinating all aspects of the ALPR system.
3. *ALPR Operator:* A sworn employee properly trained in the use of Southern Shores Police Department's (SSPD) ALPR system.
4. *Download*: The transfer of hot list data from NCIC (National Crime Information Center) consisting of license plates and associated data.
5. *External Hot List:* A database populated with items of specific concern to the investigative and/or enforcement interests within the Southern Shores Police Department's jurisdiction. External hot lists originate from sources other than SSPD, such as NCIC).
6. *Local Hot List:* An addition to the ALPR server database that is appended to the External Hot List. The local hot list consists of license plates of local investigative significance entered into the ALPR system's hot list.
7. Alert: A positive indication, by visual and/or audible signal, of a potential

match between data on the hot list and a license plate scanned by the ALPR system. An alert is not a conclusive confirmation that a license plate is wanted. Additional investigation/verification is always warranted when an alert is indicated.

III. POLICY

ALPR technology automates a process that in the past was conducted manually by officers, tag by tag (license plate) with much discretion. ALPR is an information technology system with the capability for quick scanning and matching capabilities. In addition to recovering stolen vehicles, ALPR data can be used to confirm a suspect's alibi or whereabouts at a particular date and time. ALPR's have also been used to successfully assist in locating missing persons and abductive children related to AMBER and/or SILVER Alerts. ALPR's also allow the SSPD to more accurately count the number of vehicles that travel through our jurisdiction daily during high volume tourist seasons. The Southern Shores Police Department does not currently utilize any mobile ALPR's on any of its vehicles, this current policy relates only to Fixed Site ALPR's located within the jurisdiction of the Town of Southern Shores. At this time the Southern Shores Police Department only shares ALPR data with selected/authorized NC Law Enforcement agencies.

IV. RESPONSIBILIES

A. ALPR Operators shall receive formal training prior to using the ALPR System.

B. ALPR Operators shall exercise safety when operating the ALPR System.

C. It shall be the responsibility of each ALPR Operator to ensure the download of the most recent hot list is completed and the ALPR System is up and running at the beginning of their shift(s). Any issues or problems must be reported immediately.

D. Upon receiving an alert, the ALPR Operator will use the displayed information to determine the accuracy and nature of the alert. The ALPR Operator will visually verify that the subject tag (plate number) and the actual read on the ALPR screen are the same (i.e. correct letters, numbers, state and other information that can be matched).

E. Once the ALPR Operator has confirmed that the alert is valid, he or she shall take appropriate action based on the type of alert in accordance with training.

1. If the alert is for a stolen or felony vehicle, the ALPR Operator will confirm the alert is still active by running a check on the information through NCIC.
    a. Receipt of a stolen or felony vehicle ALPR alert may not rise to the level of reasonable suspicion and is certainly not sufficient probable cause to arrest without confirmation that the vehicle is

still wanted.

b. If the alert is for another type of want, the ALPR Operator will read the description of the alert and use the appropriate action or reporting method. Confirmation of the alert is essential prior to the stop of any person/vehicle.

F. Ensuring that all positive "hits" on the Terrorist Watch List are reported to the Terrorist Screening Center (TSC). All terrorist Watch List hits will be handled by phone. There will be no radio traffic concerning Terrorist hits except in the case of emergencies. ALPR Operators must be familiar with the (3) three levels of Terrorist.

1. Level (1): one, stop, hold, and contact TSC.
2. Level (2): two, keep a visual and contact TSC for further instructions and do not alert subjects of your presence.
3. Level (3): three, document information, take no action, report information to TSC.

G. Some ALPR Operators will be power users and may assist with training of Operators, troubleshooting problems with the ALPR system, and improving the operations of the ALPR system.

V. SUPERVISORS

A. Supervisors will monitor the use of ALPR systems and ensure they are being deployed and/or utilized regularly. The assigned supervisor ALPR Manager will run/log a 30-day audit in accordance with NC G.S. 20-183.31(c). each month.

B. Supervisors will ensure ALPR systems are being deployed and/or utilized by trained ALPR Operators and in accordance with North Carolina General Statutes and SSPD departmental policies.

C. The ALPR systems should be deployed and/or utilized to maximize its ability to scan as many license plates as possible.

VI. ALPR MANAGER(S)

A. The ALPR Manager will determine how the ALPR system will be integrated in SSPD patrol function and will also determine any restrictions for the use of the ALPR system in accordance with NC General Statutes and MOU NCSBI.

B. The ALPR Manager will validate training for ALPR Operators to ensure ALPR Operators are properly trained before accessing ALPR data or participating in ALPR field operations, to ensure training is timely and adequate, to ensure proper operations in accordance with this Standard Operating Procedure, and to ensure all training is documented.

C. The ALPR Manager will recommend policy changes as needed to the Chief of Police.

VII. DATA RETENTION AND USE

NC- GS § 20-183.32. Preservation and disclosure of records.

(a) Captured plate data obtained by an automatic license plate reader system, operated by or on behalf of a law enforcement agency for law enforcement purposes, shall not be preserved for more than 90 days after the date the data is captured. ***Southern Shores Police Department retention period is 30 days.***

(b) Notwithstanding subsection (a) of this section, data obtained by an automatic license plate reader may be preserved for more than 90 days pursuant to any of the following:

(1) A preservation request under subsection (c) of this section.

(2) A search warrant issued pursuant to Article 11 of Chapter 15A of the General Statutes.

(3) A federal search warrant issued in compliance with the Federal Rules of Criminal Procedure.

(c) Upon the request of a law enforcement agency, the custodian of the captured plate data shall take all necessary steps to immediately preserve captured plate data in its possession. A requesting agency must specify in a written, sworn statement all of the following:

(1) The location of the particular camera or cameras for which captured plate data must be preserved and the particular license plate for which captured plate data must be preserved.

(2) The date or dates and time frames for which captured plate data must be preserved.

(3) Specific and articulable facts showing that there are reasonable grounds to believe that the captured plate data is relevant and material to an ongoing criminal or missing person's investigation or is needed to prove a violation of a motor carrier safety regulation.

(4) The case and identity of the parties involved in that case.

After one year from the date of the initial preservation request, the captured plate data obtained by an automatic license plate reader system shall be destroyed according to the custodian's own record or data retention policy, unless the custodian receives within that period another preservation request

under this subsection, in which case the retention period established under this subsection shall reset.

(d) A law enforcement agency that uses an automatic license plate reader system in accordance with G.S. 20-183.31 shall update the system from the databases specified therein every 24 hours if such updates are available or as soon as practicable after such updates become available.

(e) Captured plate data obtained in accordance with this Article is confidential and not a public record as that term is defined in G.S. 132-1. Data shall not be disclosed except to a criminal justice officer at a State or local law enforcement agency or a similar official at a federal law enforcement agency for a legitimate law enforcement purpose pursuant to a written request from the requesting agency. Written requests may be in electronic format. Nothing in this subsection shall be construed as requiring the disclosure of captured plate data if a law enforcement agency determines that disclosure will compromise an ongoing investigation. Captured plate data shall not be sold for any purpose. (2015-190, s. 1; 2023-151, s. 5(f).)

A. All ALPR generated data will be purged after (30) thirty-day retention period unless a longer retention period has been identified and justified for court or investigative purposes.

1. For retention of more than 30 days, officers must advise ALPR Manager of their request and basis for such request. Once approved by ALPR Manager, the requested data will be marked and retained beyond the initial 30 days.
2. ALPR Operators will be responsible for advising their supervisor when ALPR data they have requested to be retained beyond the 90 days is no longer needed. Said data will be erased.
3. The ALPR system automatically erases stored data when the retention period has elapsed.

B. Access to ALPR data is restricted to sworn personnel of the Southern Shores Police Department in furtherance of a criminal justice purpose, ALPR data may be shared verbally by a member of SSPD with another criminal justice agency. Any other use of this data is prohibited.

1. Trained Users will be able to access the ALPR data by providing the established username and password. This access will allow for the user to query information as it pertains to vehicle tags (plate numbers) read by the ALPR reader cameras.

2. The ALPR Manager will determine the personnel to have access to the database for investigative queries and reports. Any request for database access will be handled on a case-by-case basis and those granted access will be provided with a username and password for access.
3. Information stored includes a photo of the registration plate showing the rear of the vehicles, date and time stamp of when the registration plate was read by the ALPR and a GPS coordinate to identify the exact locations the registration plate was read by the ALPR.

BY ORDER OF

David M. Kole

DAVID M. KOLE
CHIEF OF POLICE